

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13
Darcell A. Kennedy : NO. 22-12989-AMC
:

O R D E R

AND NOW, this 14th day of June, 2023, upon consideration of the Motion to Sell Real Property filed by Debtor, upon notice to all interested parties, and any response thereto, it is hereby

ORDERED, that debtor is authorized to sell his/her real property located at 427 Roosevelt Boulevard, Philadelphia, PA 19120 ("Property"), with all liens to be paid at closing, for the sale price of \$175,000.000 (One seventy five thousand dollars), pursuant to the terms of a certain real estate agreement of sale dated as of April 11, 2023 to the buyer(s) thereunder, Sade Turner and Twana L. Jamison ("Buyer"), who have been represented to be purchasing the Property at arms-length.

This sale shall provide for payment of 100% of all allowed unsecured claims.

The proceeds of the sale, including any funds held as a deposit made by or on behalf of the Buyer, shall be distributed in the following manner:

1. Ordinary and reasonable settlement costs, including, but not limited to those related to notary services, deed preparation, disbursements, express shipping, surveys, municipal certifications, or any other such routine matters
2. Liens paid at closing including any amounts outstanding on the mortgage.
3. Real estate taxes, sewer, trash and/or other such items
4. Property repairs, if any
5. Real estate commission, at no greater than 6%
6. Real Estate Transfer Taxes
7. Court filing fees of \$188.00
8. Any small (less than \$300) allowances agreed to be made to Buyer to settle any unforeseen dispute arising at settlement
9. Kenneth West, Chapter 13 Trustee \$ 58,287.00
10. Any other necessary expenses to allow the sale to close

The balance of sales proceeds after all above distributions shall be paid to the Debtor Darcell Kennedy, as sole owner of the property.

ORDERED that this Order shall constitute an order permitting the Debtor to make disbursements at or immediately after settlement as provided herein above.

Upon receipt of payment, any creditor(s), paid at closing shall withdraw or amend its proof of claim within 30 days.

The Bank of NY, c/o Nationstar Mortgage, LLC (Proof of Claim #13) shall file an amended proof of claim or withdraw its proof of claim upon receiving sale proceeds in satisfaction of their secured claim and interests.

The trustee is to hold the sale proceeds pending confirmation of a plan which provides to pay 100% to unsecured creditors. Excess funds (if any) held by the Trustee after distribution to all creditors shall be returned to the Debtor.

In the event that the case is dismissed, either voluntarily or by the Trustee then all funds held by the Trustee shall be returned to the debtor less administrative expenses.

The title clerk shall email settlementsheet@ph13trustee.com a completed HUD-1 or settlement sheet from the closing directly to the trustee immediately upon the close of the settlement, and the trustee shall promptly notify the title company of his approval or objections to the sums to be disbursed. Upon trustee approval, the title clerk shall email fax a copy of the disbursement check to the trustee and shall immediately transmit the actual disbursement check to the trustee by overnight courier.

The 14 day appeal period is hereby waived.

BY THE COURT:



HONORABLE ASHELY M. CHAN
U. S. BANKRUPTCY JUDGE